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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,663	04/16/2001	Joel M. Wein	12293-15	6020

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EXAMINER

CHANG, JULIAN

ART UNIT PAPER NUMBER

2152

DATE MAILED: 09/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/835,663		WEIN ET AL.	
	Examiner		Art Unit	
	Julian Chang		2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. <u>20060912</u> . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>08/01/06</u> . | 6) <input checked="" type="checkbox"/> Other: <u>Examiner's Amendment</u> . |

DETAILED ACTION

1. This Office action is responsive to RCE filed on 08/01/06. Claims 17-39 are pending, and have been examined.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/01/06 has been entered.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David H. Judson on 09/06/06.

The application has been amended as follows:

In claims 1, 25, and 33, please amend the paragraph starting “resolving a DNS query” as follows: “to an IP address of associated with a given content server”.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claims 17-18, and 20-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Downs, et al (US 6,226,618), hereinafter “Downs”, and further in view of Leighton, et al (US 6,108,703), hereinafter “Leighton”.
6. Regarding claim 25, Downs teaches a method comprising:

for a given piece of content identified by a participating provider, specifying, as metadata, a given control requirement to be applied to the given piece of content when the given piece of content is served from the content delivery network ('specification of product uses and restrictions', col. 52, lines 10-12); and

at a given content server of the plurality of content servers, receiving a request for the given piece of content ('receives a request for a decryption key for the Content 113' col. 10, lines 49-67), determining whether a participating content provider has specified a content control requirement for the given piece of content ('verifies that the requested usage complies with the content Usage Conditions as defined by the Content Provider(s) 101', col. 10, lines 49-67) and, if so, applying the given control requirement

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specified in the metadata prior to serving the given piece of content from the given content server ('sends the decryption key for the Content 113', col. 10, lines 49-67).

Downs fails to teach aliasing a content provider domain to a domain managed by a content delivery network service provider so that DNS queries to the content provider domain are resolved by the content delivery network domain name service, wherein the content provider is part of a URL identifying a given piece of content published by the participating content provider; and resolving a DNS query to the content provider domain to an IP address associated with a given content server in the plurality of content servers, wherein the DNS query is resolved by the content delivery network domain name service using the domain managed by the content delivery network service provider in lieu of the content provider domain.

However, Leighton teaches:

aliasing a content provider domain to a domain managed by a content delivery network service provider so that DNS queries to the content provider domain are resolved by the content delivery network domain name service ('resolve to the altered hostname, in this case: ghost1467.ghosting.akamai.com', col. 9, lines 20-30), wherein the content provider is part of a URL identifying a given piece of content published by the participating content provider ('...ghosting.akamai.com/www.provider.com...', col. 8, lines 8-12); and

resolving a DNS query to the content provider domain to an IP address associated with a given content server in the plurality of content servers, wherein the DNS query is resolved by the content delivery network domain name service using the

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domain managed by the content delivery network service provider in lieu of the content provider domain ('resolve to the altered hostname, in this case: ghost1467.ghosting.akamai.com', col. 9, lines 20-30).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to employ DNS aliasing as taught by Leighton in the content distribution network of Downs with motivation to provide load balancing through a decentralized hosting solution.

7. Regarding claims 17, 26, and 33, Downs-Leighton teaches the invention substantially as claimed and described in claim 25 above, including communicating metadata for a given piece of content to a plurality of content servers (Downs: transferring the SC(s) to the appropriate hosting sites', col. 54, lines 56-64).

8. Regarding claims 18, and 31, Downs-Leighton teaches the invention substantially as claimed and described in claims 17, and 25 above, including a content provider domain or sub-domain is associated with the domain managed by the content delivery network service provider through a DNS canonical name (Downs: '...ghosting.akamai.com/www.provider.com...', col. 8, lines 8-12).

9. Regarding claims 20, 27, 32, and 34, Downs-Leighton teaches the invention substantially as claimed and described in claims 17, 25, and 33 above, including communicating metadata to a plurality of content servers in one of: a request string, a

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header, and configuration file (Downs: transferring the SC(s) to the appropriate hosting sites', col. 54, lines 56-64).

10. Regarding claims 21, and 35, Downs-Leighton teaches the invention substantially as claimed and described in claims 17, and 34 above, including provisioning a configuration file via an extranet application (Downs: 'application is presented via a web browser...within the Intranet or extranet of the Content Provider(s) 101', col. 49, lines 11-18).

11. Regarding claim 22, 28, and 36-38, Downs-Leighton teaches the invention substantially as claimed and described in claims 17, 25, and 34 above, including a given content control requirement enforces a given authentication method (Downs: 'validates the integrity and authenticity of the information in the request', col. 10, lines 49-67) or a given access control method (Downs: 'verifies that the requested usage complies with the content Usage Conditions', col. 10, lines 49-67) or a security mechanism (Downs: 'Symmetric Algorithms', Col. 12, section titled 'CRYPTOGRAPHY CONCEPTS...').

12. Regarding claim 23, Downs-Leighton teaches the invention substantially as claimed and described in claim 17 above, including a metadata is a request metadata component (Downs: 'can offer both a web distribution interface via an Internet connection as well as a higher bandwidth satellite or cable distribution interface via a broadcast service', col. 78, lines 28-34).

13. Regarding claim 24, Downs-Leighton teaches the invention substantially as claimed and described in claim 17 above, including a metadata is a response metadata component (Downs: 'Clearinghouse(s) 105 provides the licensing authorization', col. 10, lines 49-67).

14. Regarding claims 29, 30, and 39, Downs-Leighton teaches the invention substantially as claimed and described in claim 17, 25, and 34 above, including a given piece of content is one of: a markup language page, an embedded object of a markup language page, a media file, and a software download (Downs: 'content such as pictures, games, music, programs, and videos', col. 3, lines 19-23).

15. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Downs-Leighton as applied to claim 17 above, and further in view of what was known in the art at the time of applicant's invention.

16. Regarding claim 19, Downs-Leighton teaches the invention substantially as claimed and described in claim 17 above, but fails to teach the communication of metadata through a header.

Official notice is taken that the communication of metadata in a header was well known in the field of computer networks at the time of applicant's invention. (See MPEP

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2144.03 'Reliance on Common Knowledge in the Art or Well-Known Prior Art'). Such examples include the 'cache-control' field in a HTTP/1.1 header.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to communicate metadata through a header in the content distribution network of Downs-Leighton with motivation to enable the system to piggyback metadata on a given piece of content thereby reducing network latency.

Response to Arguments

17. Applicant's arguments with respect to claims 17-39 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

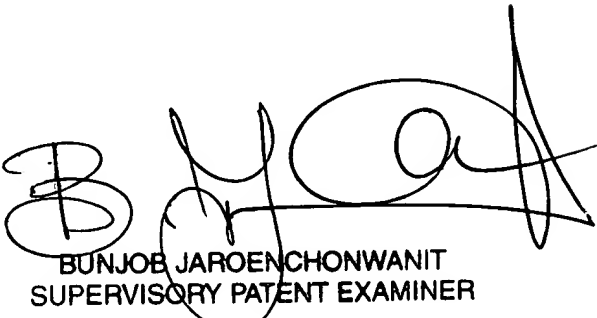
18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julian Chang whose telephone number is (571) 272-8631. The examiner can normally be reached on Monday thru Friday 8am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JC



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SUPERVISORY PATENT EXAMINER